



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090

Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager 

Date: August 6, 2015

Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer
Kenneth B. Richardson, PE, PS, Senior Civil Engineer
Philip K. Hartmann, Assistant Law Director

Re: Ordinance 57-15
AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY
CONVEYANCE DOCUMENTS TO ACQUIRE A 0.049 ACRE, MORE OR LESS,
TEMPORARY EASEMENT FROM PROPERTY LOCATED AT 7690 RIVERSIDE
DRIVE OWNED BY BROWN AND ERDMANN, LLC, FOR THE
CONSTRUCTION OF THE RIVERSIDE DRIVE SHARED-USE PATH
CONNECTION.

BACKGROUND

The City of Dublin (the "City") is preparing to construct a shared-use path connection adjacent to Riverside Drive between Thaddeus Kosciuszko Park and Tonti Drive (the "Project").

The Project requires that the City obtain a temporary easement from Brown and Erdmann, LLC. The property is located at 7690 Riverside Drive and identified as Franklin County Parcel Number 273-008661.

After engaging in amicable discussions, the City has come to an agreement with Brown and Erdmann, LLC, to acquire the temporary easement in exchange for replacing the asphalt driveway on the property.

ACQUISITION

The City is acquiring a temporary easement from Brown and Erdmann, LLC, as described and depicted in the legal exhibits attached to this memorandum, consisting of 0.049 acre, more or less, for the purpose of construction, grading, utility work, and other work related to the construction of the shared-use path connection on Riverside Drive.

RECOMMENDATION

Staff recommends approval of Ordinance No. 57-15 as the construction of the Project is necessary for the public welfare and safety, and approval of the Ordinance will keep the Project moving forward.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

57-15

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.049 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM PROPERTY LOCATED AT 7690 RIVERSIDE DRIVE OWNED BY BROWN AND ERDMANN, LLC, FOR THE CONSTRUCTION OF THE RIVERSIDE DRIVE SHARED-USE PATH CONNECTION.

WHEREAS, the City of Dublin (the "City") is preparing to construct a shared-use path connection adjacent to Riverside Drive between Thaddeus Kosciuszko Park and Tonti Drive (the "Project"); and

WHEREAS, the Project requires that the City obtain a temporary easement from Brown and Erdmann, LLC (the "Grantor"), as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," attached hereto, said property interest located in the City of Dublin, County of Franklin, State of Ohio; and

WHEREAS, after engaging in amicable discussions, the City has come to an agreement with the Grantor to acquire the temporary easement in exchange for the City replacing Grantor's asphalt driveway located on the property; and

WHEREAS, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantor.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute all necessary conveyance documentation to acquire a 0.049 acre, more or less, temporary easement, said temporary easements for twelve (12) months, commencing on the date construction begins, from Brown and Erdmann, LLC, in exchange for the City replacing Grantor's asphalt driveway, said property more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B."

Section 2. This Council further hereby authorizes and directs the City Manager, the Director of Law, the Director of Finance, the Clerk of Council, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

Section 3. This Ordinance shall be effective upon the earliest date permitted by law.

Passed this _____ day of _____, 2015.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

Parcel 7T
Exhibit A
Temporary Easement
for
Shared-Use Path, Utilities, Storm Drainage, and Grading

Situated in the State of Ohio, County of Franklin, City of Dublin, being a part of the Quarter Township 2, Township 2, Range 19 of the United States Military Lands, being a part of a 0.464 acre tract conveyed to Brown and Erdmann, LLC by Instrument Number 201109220120271, all records herein are from the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning for Reference at the intersection of the east Right of Way of Riverside Drive (100 foot) and the south line of said 0.464 acre tract;

Thence, North 11°30'52" West, a distance of 41.08 feet, along the east Right of Way of said Riverside Drive to a point;

Thence, crossing said 0.464 acre tract the following four courses:

1. North 78°29'08" East, a distance of 39.80 feet to a point;
2. South 12°09'20" East, a distance of 24.62 feet to a point;
3. North 79°00'48" East, a distance of 10.63 feet to a point;
4. South 11°37'07" East, a distance of 28.00 feet to the south line of said 0.464 acre tract;

Thence, North 88°35'51" West, a distance of 52.07 feet, along the south line of said 0.464 acre tract to the **Point of Beginning**, containing 0.049 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. Note that parcel is located in South Zone, however, the overall project is in North Zone and used for the Construction Documents.

The described tract is a part of Auditor's Tax Parcel Number 273-008661-00 and is based on Instrument Number 201109220120271.

I hereby certify this description was based field survey conducted by CW Design Group, LLC under my guidance in June 2014 and to the best of my knowledge depicts the boundary lines.

CW Design Group, LLC



Charles A. Wagner - Professional Surveyor 8091 12/05/2014
Date



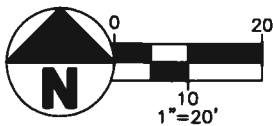


EXHIBIT B

QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 19
UNITED STATES MILITARY LANDS
CITY OF DUBLIN
COUNTY OF FRANKLIN
STATE OF OHIO

JASON AND EMILY KING
INSTRUMENT # 201402280024959
0.517 ACRES
273-008667-00

BROWN AND ERDMANN, LLC
INSTRUMENT # 201109220120271
0.464 ACRES
273-008661-00

RIVERSIDE DRIVE

POINT OF
BEGINNING

CITY OF DUBLIN
INSTRUMENT # 200403050048545
1.039 ACRES
273-008829-00

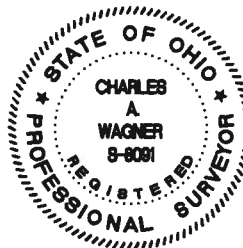
BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 (2011). NOTE THAT PARCEL IS LOCATED IN SOUTH ZONE, HOWEVER, THE OVERALL PROJECT IS IN THE NORTH ZONE AND USED FOR CONSTRUCTION DOCUMENTS.

HEREBY CERTIFY THIS PLAT WAS BASED FIELD SURVEY CONDUCTED BY CW DESIGN GROUP, LLC UNDER MY GUIDANCE IN JULY & AUGUST 2014 AND TO THE BEST OF MY KNOWLEDGE DEPICTS THE BOUNDARY LINES.

CHARLES A. WAGNER, PS-8091
CW DESIGN GROUP, LLC

12/05/2014
DATE

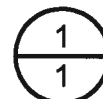


CW Design Group
ENGINEERS | SURVEYORS

PHONE: 614-846-9279
972 Linkfield Drive
Worthington, Ohio 43085

PARCEL 7T
TEMPORARY EASEMENT
FOR SHARED-USE PATH, UTILITIES, STORM
DRAINAGE, AND GRADING

13-0026



12/05/2014



5800 Shier-Rings Road • Dublin, Ohio 43016-1236
Phone (614)410-4600 • Fax (614)410-4699

RIVERSIDE DRIVE/
TONTI DRIVE
SHARED-USE PATH
DUBLIN, OHIO 43016

LEGEND



PROPOSED TEMPORARY
EASEMENT

T: 0.049 Ac.



DRAWN

CHECKED

DATE

MBH

KBR

06/18/15

SCALE: 1" = 40'
0 40' 80'